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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/928,354

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Junji Seki

1095. 1193

6426

21171 7590 02/14/2007  
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EXAMINER

NGUYEN, NGA B

ART UNIT

PAPER NUMBER

3692

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/928,354

Applicant(s)

SEKI ET AL.

Examiner

Nga B. Nguyen

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10,12-16 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-16 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on September 6, 2006, which paper has been placed of record in the file.
2. Claims **1, 3-10, 12-16 and 20** are pending in this application.

### *Response to Arguments/Amendment*

3. Applicant's arguments with respect to claims 1, 3-10, 12-16 and 20 have been considered but are moot in view of new grounds of rejection.
4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-10, 12-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (hereinafter Walker), U.S. Patent No. 6,907,239.

Regarding to claim 1, Walker discloses a method executed by a computer to support service site operations for offering services to customers, comprising the steps of:

receiving an order for one of the services (column 4, lines 25-35, the customer purchases products at POS terminal);

evaluating creditworthiness of the customer, based on the credit score (column 10, line 35-column 11, line 12, evaluating creditworthiness of the customer, based on credit score);

determining, based on the creditworthiness of the customer, how much on-behalf payment can be offered to the customer in payment for the paid service that the customer has ordered (figure 11 and column 11, line 13-25, offering installment plans based the creditworthiness of the customer);

notifying the terminal of the determined amount of the on-behalf payment (figure 11 and column 11, lines 13-25, displaying at the POS terminal monthly payment amounts and a number of installments for each of three installment plans);

causing the determined amount of on-behalf payment to be paid to the provider of the paid service that is ordered, in expectation of later reimbursement by the customer (column 12, lines 7-8, the merchant is credited with the original purchase price; column 11, lines 25-45, the customer receives the credit card bill includes the installment).

Walker does not disclose providing, via a network, information about paid services available from service providers to a customer who has signed up for membership with payment of a predetermined fee. However, providing, via a network, information about paid services available from service providers to a customer who has signed up for membership with payment of a predetermined fee is well known in the art. For example, the customer enrolls over the Internet to become a member of a merchant, some of merchants charge the customer a membership fee in order to provide the customer with a paid services available. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Walker's to incorporate the well-known feature above, for the purpose of providing more convenient to the customer in purchasing products/services over the Internet.

Walker does not disclose the customer purchases services from a terminal of the customer which is connected to the computer via the network. However, purchasing products/services over the Internet is well known in the art. For example, the customer can utilize a computer connected to the Internet to purchase products/services. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Walker's to incorporate the well-known feature above, for

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the purpose of providing more convenient and time consuming to the customer in purchasing products/services over the Internet.

Walker does not disclose evaluating creditworthiness of the customer based on the amount of the predetermined fee that has been paid by the customer. However, Walker does teach evaluating creditworthiness of the customer based on extent of monthly payments, promptness of payment, use of card for purchases or cash advance, size and type of purchased, etc...(column 11, lines 5-12). Thus, Walker does disclose evaluating creditworthiness of the customer based on a predetermined amount. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Walker's to evaluate creditworthiness of the customer based on the amount of the predetermined fee that has been paid by the customer, for the purpose of providing more efficient in determining the installment plans.

Regarding to claims 3-5, Walker does not disclose wherein the customer is a purchaser of an insurance product, the paid services include travel packages, the paid services include license acquisition courses. However, purchasing an insurance product, travel packages, license acquisition courses is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Walker's to incorporate the well-known features above, for the purpose of allowing a service provider to make a plurality of different services available to the users against prepayment, thus the user can freely select among services offered.

Regarding to claims 6-10, Walker does not disclose making the customer promote sales of travel products to other members; and paying a commission to the customer when the customer receives an order for one of the travel products; making the customer promote the sales is executed only the customer has a sales agent license for a predetermined set of insurance products; compiling an information entry page which is customized according to the sales agent license that the customer owns; and sending data of the customized information entry page to the terminal. However, such features are well known in the art for the insurance agents or travel agents. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Walker's to incorporate the well-known features above, for the purpose of maximizing the profit for the service provider.

Claims 12-16 are written in means that contain similar limitations found in claims 1, 2-6 above, therefore, are rejected by the same rationale.

Claim 20 is written in computer-readable storage medium that contain similar limitations found in claim 1 above, therefore, is rejected by the same rationale.

### ***Conclusion***

7. Claims **1, 3-10, 12-16 and 20** are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Richard E. Chilcot, can be reached on (571) 272-6777.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).



NGA NGUYEN  
PRIMARY EXAMINER

November 20, 2006